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422 Rec'd PCT/PTO

DAC 14 AUG 2000

Petition For Revival Of Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b), 37 CFR 1.155(c) or 37 CFR 1.316(c)

Docket No.
8204.028

RECEIVED

AUG 17 2000

In Re Application Of: MEDEBACHT, et al.

Serial No.
09/284,117

Filing Date
4/8/99

Examiner
unknown

Group Art Unit
unknown

Invention: WINDOW FRAME FOR A MOTOR VEHICLE DOOR WITH A WINDOW WINDER

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on December 27, 1999, which set a 1 month period for response. The abandonment date of this application is January 28, 1999, the day after the expiration date of the period set for response plus any extensions of time obtained therefor). **Applicant hereby petitions for revival of this application.**

1. ☒ A proposed response to the above-identified Office Action:

☒ is enclosed.

☐ was filed on _____

The proposed response is in the form of: Petition to Correct Inventorship in response to the Notice of A Defective Response

2. ☒ The abandoned application was a:

☐ design application.

☒ utility application.

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**Petition For Revival Of Abandoned Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b), 37 CFR 1.155(c) or 37 CFR 1.316(c)**

Docket No.
8204.028

In Re Application Of: MEDEBACH, T. et al

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Serial No.
09/284,117

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OFFICE OF PETITIONS
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Invention: WINDOW FRAME FOR A MOTOR VEHICLE DOOR WITH A WINDOW WINDER

Calculation and Payment of Fees

Enclosed are the following fees:

3. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$1,210.00
4. ☐ Fee for amendment in the amount of: _____
5. ☐ Fee for extension of time to respond to Office Action in the amount of: _____
6. ☐ Issue fee in the amount of: _____
7. ☐ Continuing application filing fee in the amount of: _____
8. ☐ _____
9. ☐ _____
- Total fees enclosed: \$1,210.00

The fee of \$1,210 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0548
- A duplicate copy of this sheet is enclosed.

Petition For Revival Of Application For Patent Abandoned
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Invention: WINDOW FRAME FOR A MOTOR VEHICLE DOOR WITH A WINDOW WINDER

Statement

(Must Be Verified If Made By A Person Not Registered To Practice Before Patent And Trademark Office)

☒ The delay in prosecuting this application which resulted in abandonment was unintentional.

☐ The delay in payment of the issue fee was unintentional. (Design patent application)

☐ The delay in payment of the issue fee was unintentional. (Utility patent application)

☒ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.



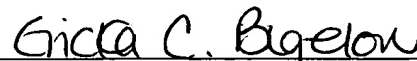
Signature

Dated: August 2, 2000

Matthew W. Stavish
Reg No. 36,286

Liniak, Berenato, Longacre & White
6550 Rock Spring Drive
Suite 240
Bethesda, Maryland 20817
(301)896-0600

I certify that this document and fee is being deposited
on August 2, 2000 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.



Signature of Person Mailing Correspondence

Ericka Bigelow

Typed or Printed Name of Person Mailing Correspondence

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MEDEBACH, et al.

Serial No.: 09/284,117

Filed: April 8, 1999

Title: WINDOW FRAME FOR A MOTOR VEHICLE DOOR WITH A WINDOW WINDER



Examiner: UNKNOWN

Group Art Unit: UNKNOWN

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AUG 17 2000
OFFICE OF PETITIONS

August 02, 2000

Commissioner of Patents &
Trademarks
Washington, D.C. 20231

PETITION TO CORRECT INVENTORSHIP UNDER RULE 48(a)

Sir:

Pursuant to 37 C.F.R. §1.48(a), please consider the following petition to correct inventorship in the instant application based on an error without any deceptive intent.

Upon review and evaluation of the present application, it was determined that the inventorship was incorrectly recorded during the PCT International Phase and that error was discovered when processing papers to enter the National Phase.

Applicant received a Notice of Defective Oath mailed December 27, 1999, but Applicant was unable to obtain the necessary papers prior to the deadline set in that Notice. Therefore, this application subsequently went abandoned, and this Petition is being concurrently filed with a Petition to Revive.

09/284,117
In re MEDEBACH, et al.



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AUG 17 2000
OFFICE OF PETITIONS


FACTS IN SUPPORT OF PETITION

This application is a national phase of International Application No. PCT/EP97/05057, which incorrectly named a sole inventor, Thomas MEDEBACH. A copy of the first page of the published PCT application is attached as **Exhibit 1**. During processing of the papers to enter the national phase, the error of inventorship was discovered by the Applicant's representatives. In accordance with U.S. patent law, the proper mechanism to correct this error of inventorship is a petition under Rule 48(a)

In accordance with 37 C.F.R. 1.48(a), Applicant hereby includes: (1) a petition including a statement from the inventor being added, Carmelo Gutierrez, that the error occurred without deceptive intent (see **Exhibit 2**); (2) a Declaration by the actual inventors, Guillaume DE FRANCE, and Carmelo GUTIERREZ (see **Exhibit 3**); (3) the fee set forth in 37 C.F.R. 1.17(i); and (4) the written consent of the assignee, Kuster & Co. GMBH, signed by the assignee (see **Exhibit 4**).

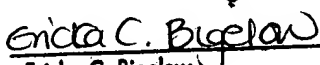
Should the Examiners believe further discussion would expedite prosecution, they are invited to contact the undersigned at the number listed below.

Respectfully submitted:
Liniak, Berenato, Longacre & White

By: 
Matthew Stavish
Reg. No. 36,286

Suite 240
6550 Rock Spring Drive
Bethesda, MD 20817
(301) 896-0600
fax 301-896-0607

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington,

D.C. 20231, on August 2, 2000

Ericka C. Bigelow 8/2/00
Date

PCT

WELTORGANISATION FÜR GEISTIGES EIGENTUM
Internationales BüroINTERNATIONALE ANMELDUNG VERÖFFENTLICHT NACH DEM VERTRAG ÜBER DIE
INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS (PCT)

(51) Internationale Patentklassifikation: B60J 5/04	A1	(11) Internationale Veröffentlichungsnummer: WO 98/15421
(21) Internationales Aktenzeichen: PCT/EP97/05057 (22) Internationales Anmeldedatum: 16. September 1997 (16.09.97)		(43) Internationales Veröffentlichungsdatum: 16. April 1998 (16.04.98)
(30) Prioritätsdaten: 196 41 341.9 8. Oktober 1996 (08.10.96) DE		(81) Bestimmungsstaaten: BR, CA, JP, MX, US, europäisches Patent (AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE).
(71) Anmelder (für alle Bestimmungsstaaten ausser US): KÜSTER & CO. GMBH [DE/DE]; Am Bahnhof, D-35630 Ehringhausen (DE).		Veröffentlicht Mit internationalem Recherchenbericht.
(72) Erfinder; und (75) Erfinder/Anmelder (nur für US): MEDEBACH, Thomas [DE/DE]; Sudetenstrasse 10, D-35582 Wetzlar-Dutenhofen (DE).		
(74) Anwalt: MÜLLER, Eckhard; Eifelstrasse 14, D-65597 Hünfelden (DE).		

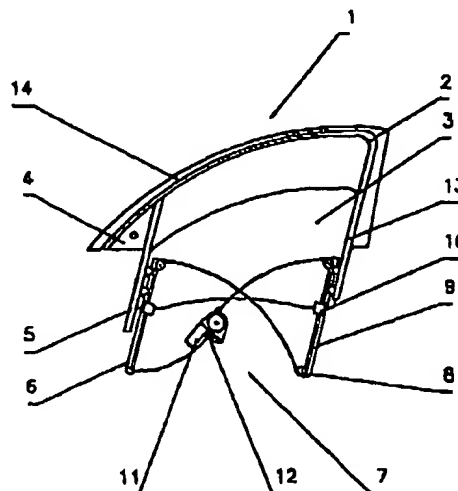
(54) Title: **WINDOW FRAME FOR A MOTOR VEHICLE DOOR WITH A WINDOW WINDER**(54) Bezeichnung: **FENSTERRAHMEN FÜR EINE KRAFTFAHRZEUGTÜR MIT EINEM FENSTERHEBER**

(57) Abstract

The invention concerns a window frame (1) for a motor vehicle door with a window winder (7) operated by a cable pull, the window frame comprising cams (10) guided in guide rails (6) in order to vertically adjust the window (3). The window frame (1) can be inserted in a door casing with a window channel and connected to the door casing, the window frame (1), as a window mounting, guide device or holder which is open on one side, comprising two transverse elements (13) and a longitudinal element (14). To that end, the guide rails (6) are each secured to a free section (5) of the transverse elements (13) which is inserted into the window channel, and the cams (10) are connected to the window (3) held by the window frame (1). The invention further concerns a method of assembling a window frame (1) of this type on a door casing with a window channel.

(57) Zusammenfassung

Es wird ein Fensterrahmen (1) für eine Kraftfahrzeugtür mit einem Seilzug-Fensterheber (7) beschrieben, der in Führungsschienen (6) geführte Mitnehmer (10) zur Höhenverstellung der Fensterscheibe (3) aufweist. Der Fensterrahmen (1) ist in eine Rumpftür mit Fensterschacht einsteckbar und mit der Rumpftür verbindbar, wobei der Fensterrahmen (1) als einseitig offene Aufnahme, Führung bzw. Halterung für die Fensterscheibe (3) aus zwei Querelementen (13) und einem Längselement (14) besteht. Dabei sind die Führungsschienen (6) jeweils an einem freien, in den Fensterschacht einsteckbaren Abschnitt (5) der Querelemente (13) befestigt und die Mitnehmer (10) mit der vom Fensterrahmen (1) aufgenommenen Fensterscheibe (3) verbunden. Des weiteren wird ein Verfahren zur Montage eines solchen Fensterrahmens (1) an einer Rumpftür mit Fensterschacht beschrieben.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MEDEBACH, et al.

Serial No.: 09/284,117

Filed: April 8, 1999



Examiner: UNKNOWN

Group Art Unit: UNKNOWN

Title: WINDOW FRAME FOR A MOTOR VEHICLE DOOR WITH A WINDOW WINDER

Commissioner of Patents &
Trademarks
Washington, D.C. 20231

WRITTEN CONSENT OF ASSIGNEE

Sir:

Pursuant to 37 C.F.R. §1.48(a), the assignee as established in the concurrently filed Statement under Rule.3.73(b), hereby consents to the correction of inventorship in the above-referenced patent application to add Mr. Carmelo Gutierrez as a co-inventor in this application.

Respectfully submitted:

A handwritten signature in cursive script, appearing to read "Klaus Küster".

Name: Klaus Küster

Title: Ing.

Date: 10.5.2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MEDEBACH, et al.

Serial No.: 09/284,117

Filed: April 8, 1999

Examiner: UNKNOWN

Group Art Unit: UNKNOWN

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Commissioner of Patents &
Trademarks
Washington, D.C. 20231

STATEMENT OF CARMELO GUTIERREZ UNDER 37 C.F.R. 48(a)

I, Carmelo Gutierrez, hereby state and declare that the error of inventorship in the above referenced application occurred as a result of error without deceptive intent. Please add my name as an inventor for this application.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Very truly yours,

Date: 10.05.00

By: _____


Carmelo Gutierrez